DRAFT SAC MINUTES: Taken by Deirdre Gilbert on 6/21/12; edited by Trisha De Graaf on 6/27/12. To be approved by SAC at next meeting.

Scallop Advisory Council DRAFT Meeting Minutes June 21, 2012 3 pm Ellsworth City Hall

SAC Members: Barry Huckins, Arthur Alley, Doug Wood, James Ackley, George Freeman, Dana Morse (Acting Chair), Rick Wahle, Andy Mays, Annie Tselikis, Alex Todd

DMR staff: Trisha De Graaf, Deirdre Gilbert, Pat Keliher, Joe Fessenden, Jay Carroll, Linda Mercer, Kevin Kelley, Carl Wilson, Kevin Rousseau, Mark Gosselin

Audience: Tom Pottle, Scott Emery, Sam Truesdale, Togue Brawn, Travis Fogg, Ben Crocker, Erin Owen, John Deraps, Carla Guenther, Brian Soper, Brian Preney, Justin Boyce, Mike Murphy Sr, Mike Murphy Jr., James West, Jessie Logan, Skyler Bayer, Brian Gordon, Tim Allan

Press: Steve Rappaport, Bill Trotter

Dana Morse called the meeting to order at 3:15 pm. Introductions were provided.

Minutes: Motion to approve: Doug Wood Second: Annie

Vote: Unanimous

DMR Update:

Trisha De Graaf reviewed the Scoping meeting results (See Scoping Summary Document)

- **G. Freeman:** Whiting...wanted to opt in and stay in? That means you can't fish anywhere else?
- T. De Graaf: Yes.
- **D. Morse:** As a general statement, more support for rotational management to the east, less to the west?
- T. De Graaf: Yes, true.
- **R. Whale**: If rotational management moves forward, as a scientist, I would like to recommend that DMR take advantage to amend the survey to better evaluate the success of the closed areas. I would hate to see it happen too late, and in hind sight.
- **A. Mays:** Can we agree to increase the recreational limit?
- **T. De Graaf:** It is on the DMR's legislative agenda for next session.
- A. Mays: Equal access for draggers and divers [for closed areas]...can we discuss?

- J. Ackley: Yes, concerns about safety issues.
- **A. Mays**: I don't see who loses if you separate people in tight areas.
- **J. Ackley:** Their thing was, we fish side by side now so why change it?
- **D. Wood:** It's common sense you can separate it very easily.
- **A. Mays:** As the coast varies, I don't know how to address the challenges....without uniformity, it's complicated. There seems to be more acceptance for the trigger mechanism, rather than trying to pigeonhole different areas into the same plan. I like rotational management...would like smaller areas.
- **G. Freeman:** As far as extending the closed areas to other fisheries (urchins) wouldn't that decimate that fishery? In Zone 1, if you took Tenant's harbor out of the equation, they wouldn't have any landings.
- **T. De Graaf:** The SUZC will be taking this up at future meetings.

Audience: There really is no scallop fleet...that whole resource is gone. So these closures...they'd be good, but you won't really have people traveling.

- **J. Boyce:** All the closures that you are looking at opening up...they all had good seed sources to begin with. How are the new areas that you are going to close have good results? Need to build something else before you can open up these areas.
- **J. West:** Why are we talking about increasing the recreational limit?
- **T. De Graaf:** It's a public resource...trying to make it worth their while to go.
- **J. West:** 2 quarts is enough...had troubles with this in the Gouldsboro Bay recreational divers were going with commercial divers, to get their 200 lbs. Need to split that up so that can't happen.
- **T. Brawn:** Table this to a later meeting, and address it before the legislative session.
- **G. Freeman:** We increased their fee and cut their limit. There is a lot of support on the council to go back to what it was [gallon of meats].

Department's Recommendations for the SAC to consider:

- **T. De Graaf** walked through the handout (See DMR Recommendations to SAC Document).
- **B. Soper and B. Preney:** Limited access areas are a huge opportunity we didn't want to give up anything (season).

- **G. Freeman:** If we decide to the west to go with the limited season and the current closed areas...at what point does that change?
- **T. De Graaf**: Every year, this chapter is opened up.
- **D. Wood:** Eventually may want to adjust the lines, to make sure that there is equal fishing opportunity throughout the cycle.
- **G. Freeman:** In my area, the 3rd year will be killer.

Discussion about penalties needing to be addressed, which will be next legislative session.

- **A. Mays:** If you don't have to pick your area...and your plan doesn't work out...they you ditch that and move to the other area? There are consequences to be able to switch.
- **G. Freeman:** It's almost like you have to do one or the other statewide.
- **D. Wood:** I understand why Cobscook would want a 2 year rotation the scallops grow fast, and there is a lot of seed...I think it would help a lot.
- **T. Pottle:** Move the line down to Bog Brook. Not any amount of area for rotational management. I could live with the 90 lbs. A lot of good ideas that the Department has proposed...I'm in favor of a lot of them.
- B. Huckins: A 34 days with 90 lbs wouldn't bother me.
- A. Mays: Is that enough?
- **D. Wood:** If it's a two year rotation...you're going to have great fishing every year.
- **A. Mays:** I have a pretty good grip on the uniqueness of Cobscook Bay...and I don't want to err and screw the guys in Cobscook Bay.
- **D. Wood:** One of the keys is to rebuild other areas is to take all the pressure off of Cobscook...I am going to take a wild guess and say that there will be 30-50% less boats there next year.

Audience: Will there be a referendum?

- **T. De Graaf:** No, the SAC makes a recommendation to the department, and then there will be public hearings for rule-making.
- P. Keliher: Envisioning going out to rule-making with options.
- **J. West:** 185 lbs, 42 days if we do not go with rotational management? 185 lbs, 70 days with limited access to the closed areas if we do?

- T. De Graaf: Yes.
- **J. West:** Gouldsboro bay if we go with rotational management and it's supposed to be closed...if it's still producing a lot of scallops, could it stay open?
- **T. De Graaf:** No the idea is that product is left behind for rebuilding and it would be closed.
- **T. Brawn:** To clarify that the shortened season is not meant to be punitive it's just supposed to be equivalent to instituting rotational management. One way or the other, trying to achieve some conservation benefit.
- **J. West**: I don't think we are going to deplete the closed areas. One day a week for the first month to see what is going on, but then after that...if you have a threshold I don't see why you couldn't open up another day a week. Look at what is coming out of those areas, the meats.
- **A. Mays:** Threshold of harvesting 30-40%? I thought Devora was leaning more toward 60%? Why wouldn't we take the 7 inch scallops? What is the benefit of leaving them on the bottom?
- **R. Whale:** I am concerned about trigger mechanism...it presumes that you have an accurate estimate of biomass to begin with. I think that the sampling density is not high enough to produce accurate estimates?
- **T. De Graaf:** We will be looking at a number of indicators in addition to our biomass estimates.
- **R. Whale:** This would be great opportunity to do a depletion experiment. Select a bay where you have good estimates of CPUE...use drop cameras to estimate biomass over the course of the depletion.
- **D. Morse:** At some point it would be nice to hear the Department's plan for sampling going forward, and how DMR will work with other scientists.
- **B. Soper:** We have 3 options...rotational management, or limited season, or...70 days, but the limited access area remains closed beyond this year. No one will flood anywhere, because we all have our openings. Casco bay wants existing season, but to keep current closed area.
- **D. Wood:** Could also keep limited access areas and have rotational management. For Cobscook Bay, take the line out to Birch Point cut the Bay in half then you would have good fishing both years (See Power Point slide #33 in Appendix A).
- **D. Morse:** Let's take 10 minutes and talk amongst yourselves.

[10 minute break]

- **A. Todd:** At first I liked the rotational thing, because of more days...and it seems like the closed area has been very beneficial. The blue year (Year 3) is a tough year...it doesn't bother me, but is a problem for Harpswell guys. Would like to ease into things...need to prove the rotational system to me. Start with smaller closures, and then increase them.
- **D. Wood:** I would like to see an option to trade scallop licenses for an elver license (Joking). I like rotational management, with limited access to the closed areas Draw a line down Cobscook bay to divide into 2 year rotations. Leave the access areas, so we have a little something to go to each year. What everyone is concerned with is the 3rd year that would still give us some access in that year, if we do our work and don't deplete them.
- **G. Freeman:** I like the way that Trisha set up the rotational plan for my area, but the third year is a killer.
- **D. Wood:** Keep the closed areas as limited access areas then you will always have somewhere to go.
- **B.** Huckins: Cobscook is not a big enough for rotational management.
- **D. Wood:** South and East bay are the most productive cut them in half so every year one is open.
- **B. Huckins:** I support the 34 day season, 3 days a week for Cobscook.
- **D. Wood:** You will never have a meat count issue there ever again if you go to rotational management for Cobscook.
- **B. Huckins:** I'd rather see it all open because it's not a very big area. 34 days, 90 lbs per day.
- **M. Murphy Sr.:** If you go with Dougie's plan, you could have a higher limit. You know what that bay could do on a rotational basis.
- **D. Wood:** One of the great things about rotational areas is the tremendous amount of spat and the seeding they will do. If the scallop fishery is going to come back, I think rotational management will be what does it.
- **S. Emery:** The first year all we really have is Whiting/Denny's bay, and we are only going to be able to fish it one day a week? I'd rather see everything open and the trigger mechanism.
- **A. Alley:** I think rotational management is going to be better for eastern Maine, where they have a lot of scallops.

- **B. Soper:** We have a huge area and not a lot of scallops.
- **B. Preney**: I hear mostly about Cobscook and down east no one talks much about the Casco bay issue. I don't think we have the kind of problems Downeast is having. We're still doing okay I hope the council will recognize that. The commissioner has recognized we can do management zones.
- **A. Mays:** I think rotational closures will work around MDI. Year 3 will be a skinny year, but it will be skinny everywhere. Frenchman's bay will be closed for 2 years, and then that would open up. Good resource in Blue Hill bay I think there is potential for rotational management.
- **T. Brawn:** The benefit of allowing there to be that line is that you can have different plans. The benefits outweigh the fear that it could eventually limit people.
- **J. West:** If you changed the line in Cobscook [as D. Wood suggested]...wouldn't it work? I like this concept because I think it would work everywhere. I don't like every bit of it, but I do think it will work everywhere in Maine.
- **A. Alley:** We just don't have them [scallops]. We have a large area and spotty resource.
- **J. Ackley**: Use the line for urchin now to divide up the coast...they [western Maine] can't do the same thing we are doing in eastern Maine. Try to find a plan to get their area to produce scallops. Maybe we need to do something more drastic, because we have more boats.
- **D. Wood:** That is not enough conservation in Casco bay.
- A. Todd: I would like to see some smaller rotational closures for western Maine.
- **D. Morse:** If we have a limited access area, and you take scallops out, you are collecting data.
- **G. Freeman:** What about opening area off of ocean point for the draggers, instead of being part of closed area? Two miles of river that is opening is not very much.
- **A. Alley:** To go without the rotational closures...if we flop, it would be an option to get on board with that later on. We don't have science for where the beds are. The state should be on board, because it will provide a comparison.
- **J. Boyce:** I think it would be good for the state to see two different options, compare the two strategies.
- **B. Preney:** The urchin industry has shown you can have 2 different models. **MOTION:** G. Freeman: I would like to make a motion for zone 1, west of urchin line, to have a 70 day season, one day a week in the limited access areas in December, and 2

days a week January, February and March with the 185 lbs. and retention of the limited access areas.

Second: A. Todd with possibly some additional small closed areas and the trigger mechanisms in place.

D. Wood: I think that's ridiculous – there is no conservation.

T. Brawn: Might the department change it?

P. Keliher: Yes.

B. Soper: We have made a huge sacrifice, because you keeping 90% of my dive area is closed. I have been diving in little up-river areas that I would never dive on.

D. Wood: The guys in Cobscook, we are talking about closing them out of great area - I just don't see this plan rebuilding.

R. Whale: Both of these options represent interesting experiments. Recommend that DMR devise a survey protocol to evaluate these.

VOTE: 6 in favor, 1 opposed and 2 abstentions, MOTION PASSED.

J. West: Could you open up the closed areas more during the season?

P. Keliher: No, would need to start with more, and then take away. That is the only problem I have – concerns about pressure on the open areas.

MOTION: A. Mays: I would like to make a motion that we adopt the 3 year rotational closure as proposed for Zone 2 [east of Penobscot Bay to Lubec]. Industry is open to use of trigger mechanisms. With a 70 day season and the 185 lbs. daily limit. Seems like MDI is the best part of state for it. May need to tweak line for Stonington [as suggested by B. Boyce].

Second: D. Wood.

Discussion that trigger mechanism is the same in all areas.

Vote: unanimous - MOTION PASSED.

Motion: B. Huckins makes a motion for Zone 3 [Cobscook/St. Croix] for a 34 day season with a 90 lbs daily landings limit with Whiting/Denny's bay open one day a week in December and two days a week for the rest of the season for the first year.

Second: none

Motion: D. Wood: I motion for 2 year rotational closures in Zone 3 with a line from Birch point to Young's point (See slide #33 in Appendix) and Whiting/Denny's bay would be limited access for the first year.

Second: G. Freeman.

B. Huckins: The first year you don't have much bottom.

J. Ackley: The second year should be a bumper harvest.

D. Wood: This is an ideal time to do it, because South bay has already been closed for one year.

T. Pottle: The trigger should be when half the boats can't get half the limit.

Vote: 1 in favor, 4 opposed and abstentions – MOTION FAILED.

Motion: G. Freeman: I motion that both of DMR's proposed options go out to rule-

making for Zone 3 [Cobscook/St. Croix].

Second: A. Mays.

Vote: 5 in favor, None opposed, 3 abstentions – MOTION PASSED.

Meeting adjourned at 6:50 pm.



T. De Graaf's slide presentations from SAC Meeting.



Scoping Meetings: Summary Region 1

Portland

- Not in support of rotational management
- Retain current closed areas with limited harvest with 135 lbs daily limit
- Support an increase in daily limit for recreational harvesters from two quarts to one gallon
- Note: Only divers were present. At Ellsworth meeting, a Casco Bay participant provided input that was in support of rotational management and assisted with final map.

Rockland

- Partial support for rotational management
- Proposed alternate plan of retaining current closed areas with limited harvest with 135 lbs daily limit; rotational harvest from within current closed areas

Scoping Meetings: Summary Region 2

Ellsworth

- In support for rotational management; however some participants preferred only 1 year closures with 2/3rd of the coast always open
- Would like "Trigger" mechanism defined before agreeing to new closures
- · Concerned about grey meats

Stonington

- Not in support of rotational management
- Proposed an alternate plan of retaining some current closed areas with limited harvest (1day/month to 1 day/week) with 135 lbs daily limit
- Support for long term closures to protect seed sources



Scoping Meetings: Summary Region 3

Milbridge

- In support for rotational management
- Support equal access to closed areas for divers & draggers

East Machias

- In support of rotational management
- Support extending closed areas to all similar gear types (ie. urchin, mussels, cucumbers)

Jonesport

- · In support of rotational management
- Support equal access to closed areas for divers & draggers
- Support extending closed areas to all similar gear types (ie. urchin, mussels, cucumbers)
- Support long term closures to protect seed sources
- Support gear restrictions inside islands

Scoping Meetings: Summary Region 4

Whiting

- · Not in support of rotational management
- Proposed an alternate plan of restricted season with 135 lbs daily limit & 42 day season, M/W/F fishing (not concurrent days) with mid-season meeting to decide shut down
- Would like "Trigger" mechanism defined before agreeing to new closures
- Support extending closed areas to other fisheries (ie. urchin)
- Concerned about grey meats
- Support mandatory landing stations
- Support having own zone requiring participants to opt-in & stay-in

East Machias

 In support of rotational management; proposed a 2 year rotational plan



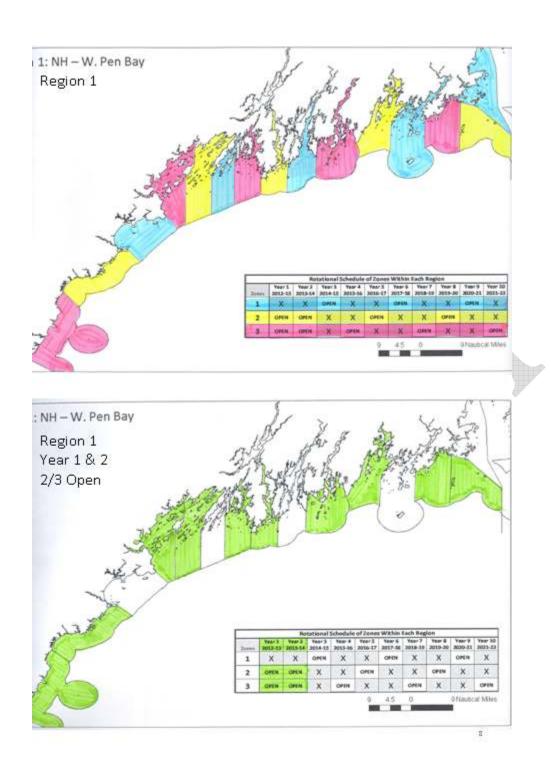
DMR Recommendations

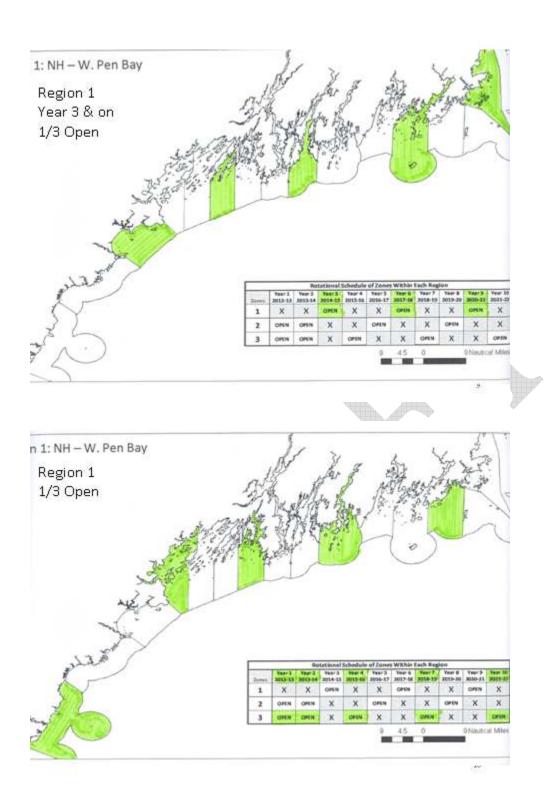
- Rotational Management
 - 185 lbs. & 70 day season
 - · Coastal Maine (Region 1, 2 & 3): 3 year rotational schedule

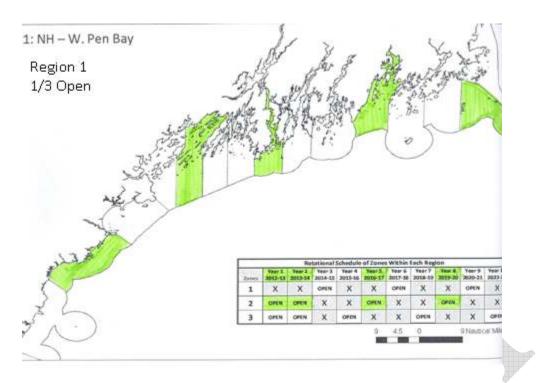
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· Cobscook Bay/St. Croix (Region 4): 2 year rotational schedule

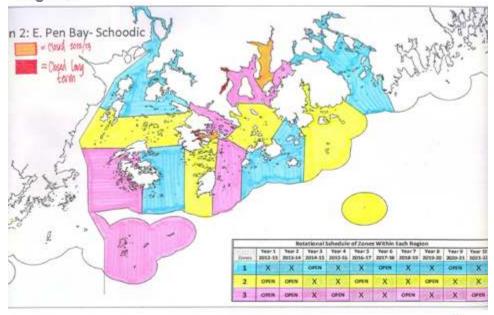
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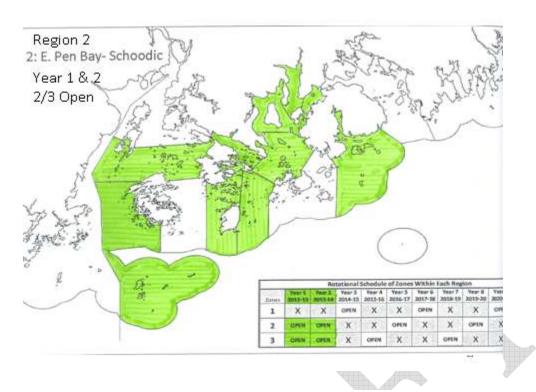


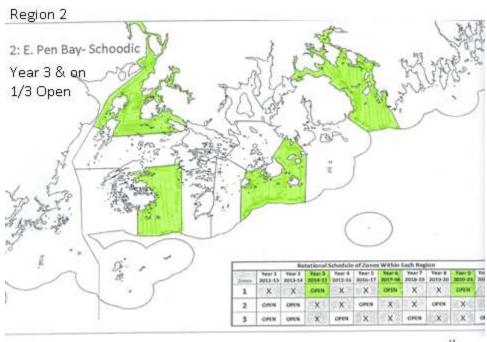


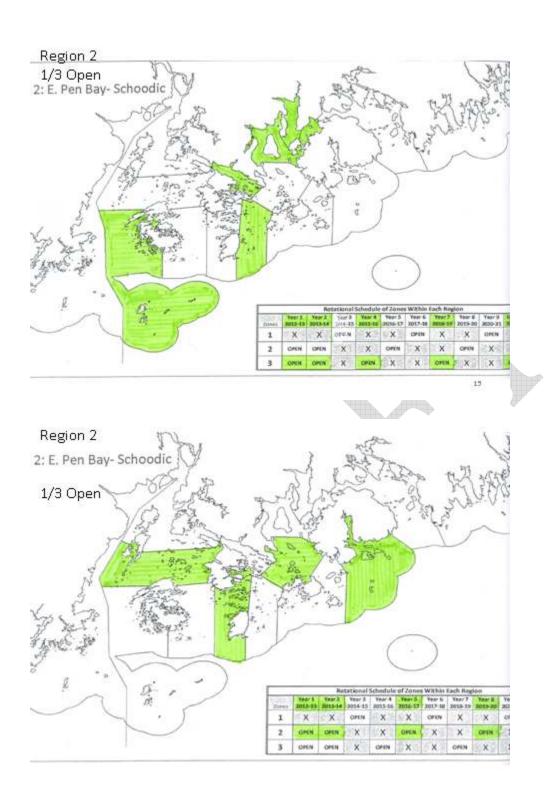


Region 2

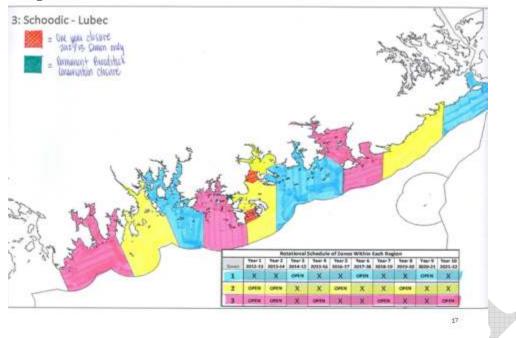




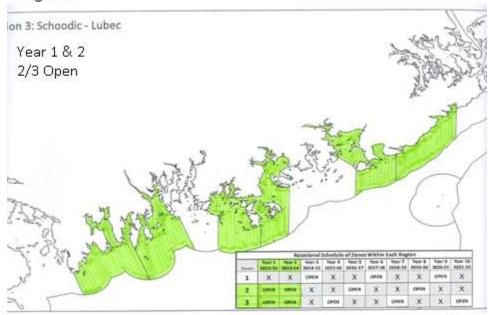


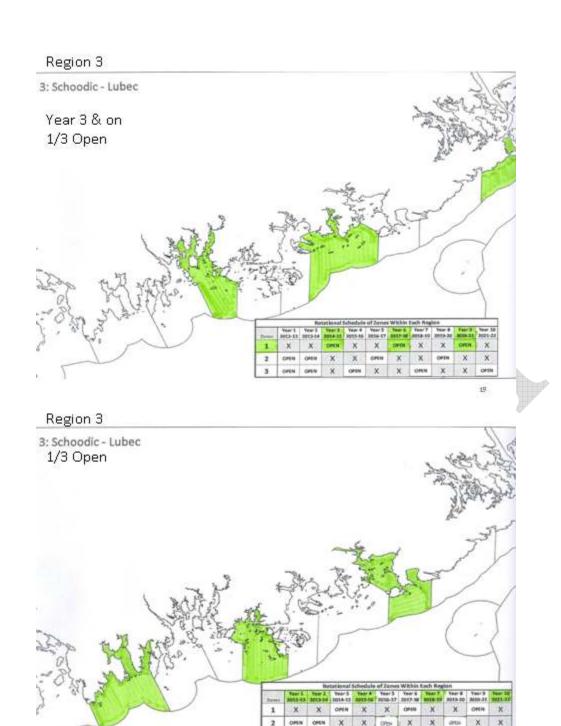


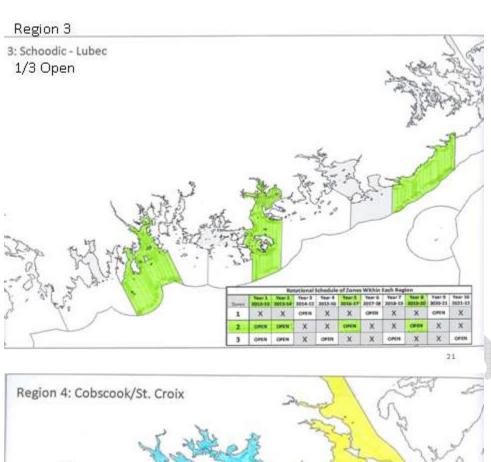
Region 3

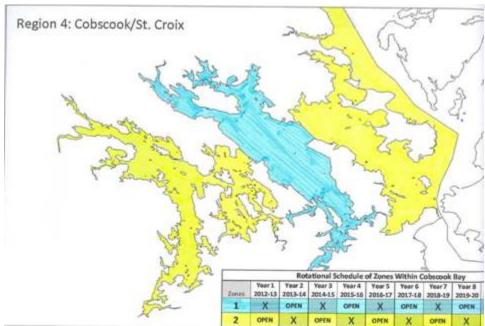


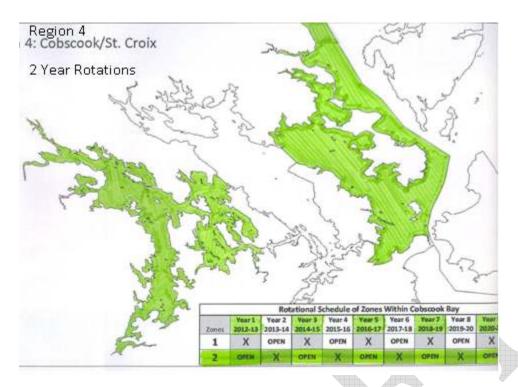
Region 3

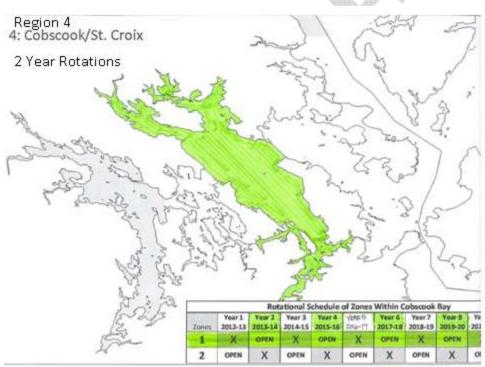












DMR Recommendations

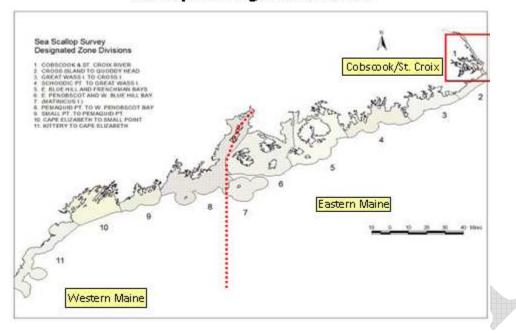
- Limited Season
 - 185 lbs. Daily Limit
 - 42 day season
 - Retention of Current Closures as "Limited Access Areas"
 - 1 day/week in Dec to allow for evaluation
 - 2 days/week rest of season

	Scallop Landings by Season - Dealer Data												
Season	Total Pounds	Dive:Drag:Ukn	Dive Daily AVG	Drag Daily AVG	Date 50% Landed	# Days Into Season	Mean Daily Lbs.						
08-09	86,023	6%:93%:1%	50	76	12/13/08	13	62						
09-10	199,471	9%:89%:2%	73	87	1/15/10	22	78						
10-11	180,383	9%:90%:1%	52	77	1/10/11	16	65						
		Average =	58	80	Average =	17	68						



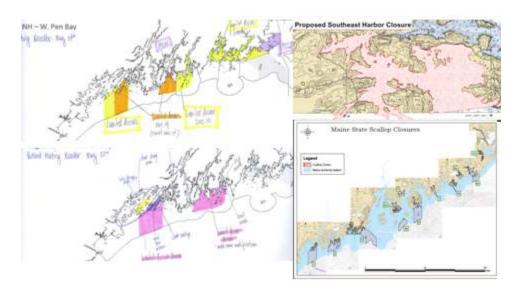
- · Scallop Management Zones
 - Three Scallop "Zones"
 - Western Maine (Region 1)
 - West of sea urchin Zone line in Penobscot Bay
 - Eastern Maine (Region 2 & 3)
 - East of sea urchin Zone line in Penobscot Bay
 - Cobscook Bay & St. Croix (Region 4)
 - North of Lubec Bridge
 - MORE RESTRICTIVE SEASON
 - » 90 lbs. & 34 day season
 - SAC Input Requested on "Declaring-In" Requirement
 - · Fishermen must "declare-in" to a Zone prior to season

Scallop Management Zones



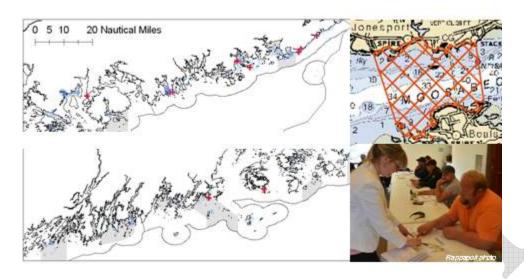
DMR Recommendations

· Current Closed Areas/Potential Limited Access Areas



DMR Recommendations

· Areas of Particular Concern



DMR Recommendations

- Closure Trigger Mechanism
 - Catch Per Unit Effort
 - % of vessels landing daily limit
 - >75% of harvest is sublegal scallops
 - GOAL: Remove 30-40% of Biomass
- "Unusual Damage"
 - Prevention of complete depletion in rebuilt areas (Current Closed Areas)



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	200		30%	56,162	70%	60,000	75%	20,162	25%	120,000	150%	-39838.1		24 0,000		- 159838			449%	-279838	-349 %	480,000	599%	-399,838	-499%
16	90	14,400	18%	65,762	82%	36,000	45%	44,162	55%	72,000	90%	8161.88	10%	14 4,000	180%	- 63838.1	- 80%	216,000	269%	-135838	-169 %	288,000	359%	-207,838	-259%
	135	21,600	27%	58,562	73%	54,000	67%	26,162	33%	108,000	135%	-27838.1	- 35%	21 6,000	269%	- 135838	- 169%	324,000	404%	-243838	-304 %	432,000	539%	-351,838	-439%
	200	32,000	40%	48,162	60%	80,000	100%	162	0%	160,000	200%	-79838.1	- 100%	32 0,000	399%	- 239838	- 299%	480,000	599%	-399838	-499 %	640,000	798%	-559,838	-698%
20	90	18,000	22%	62,162	78%	45,000	56%	35,162	44%	90,000	112%	-9838.12	- 12%	18 0,000	225%	- 99838.1	- 125%	270,000	337%	-189838	-237 %	360,000	449%	-279,838	-349%
	135	27,000	34%	53,162	66%	67,500	84%	12,662	16%	135,000	168%	-54838.1	- 68%	27 0,000	337%	- 189838	- 237%	405,000	505%	-324838	-405 %	540,000	674%	-459,838	-574%
	200	40,000	50%	40.162	50%	100,000	125%	-19.838	-25%	200,000	249%	-119838	- 149%	40 0.000	499%	-319838	- 399%	600,000	748%	-519838	-648 %	800,000	998%	-719.838	-898%
24	90	21,600	27%	58,562	73%	54,000	67%	26,162	33%	108,000	135%	-27838.1	- 35%	21 6,000	269%	- 135838	- 169%	324,000	404%	-243838	-304 %	432,000	539%	-351,838	-439%
	135	32,400	40%	47,762	60%	81,000	101%	- 838	-1%	162,000	202%	-81838.1	- 102%	32 4,000	404%	- 243838	- 304%	486,000	606%	-405838	-506 %	648,000	808%	-567,838	-708%
	200	48,000	60%	32,162	40%	120,000	150%	-39,838	-50%	240,000	299%	-159838	- 199%	48 0,000	599%	- 399838	- 499%	720,000	898%	-639838	-798 %	960,000	1198%	-879,838	-1098%
																						ME DMR sur-	to ro Ba y)		

Meat Count Recommendation

- 25 meats per lb.
- Cobscook Bay
 - 35 count based on old 3 ¾" shell height
 - Requires updating



Stratum	Year Surveyed												
	2005	2006	2007	2008	2009	2010							
1	8	\display \(\frac{1}{2} \)	26.3		25	23.7							
3		26.5		30.3	24								
4													
5	J.			24.7									
6		26.2		21.7									
7													
8	37.1				21.5								
9	33.6	8			28.6								
10	29				25.5								

Summary DMR Recommendation

- · Rotational Management
- · Limited Season
 - 42/34 day calendar
- Management Zones
 - Declaring-In
- Current Closed Areas/ Limited Access Areas
- · Areas of Particular Concern
- Closure Trigger Mechanism
- Meat Count

SAC Recommendations

MOTIONS:

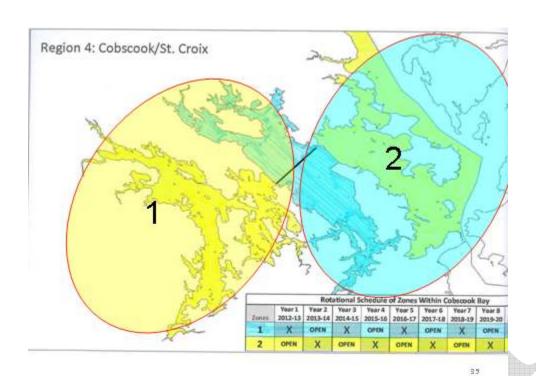
- Zone 1 (Region 1; Western ME): 70 days season, 185 lbs., Limited Access Areas
 - (6:1:2; PASSED)
- Zone 2 (Region 2 & 3; Eastern ME): 3 year rotational management as proposed by department for Zone 2, with trigger mechanism (70 days & 185 lbs)
 - (8:0:0; PASSED)
- Zone 3 (Region 4; Cobscook Bay): 34 days, 90 lbs. and WDB limited access (1 day/dec & 2 days/jan, feb, mar) (NO SECOND)



SAC Recommendations

MOTIONS:

- Zone 4: revised 2 year rotational management (see map) (1:4:4; FAILED)
- Zone 4: Two separate proposals/options as recommended by DMR.
 - Option A: 2 Year rotational management (135 lbs, 70 days, limited access areas), or;
 - Option B: Limited Season (42 days, 90 lbs., limited access areas)
 - (5:0:3; PASSED)



2012 - 2013 Scallop Season Calendar 70 Day Season January 2013 Tu W Th December 2012 Tu W Th Closed Areas Dragger O 0 February 2011 March 2013 Total Days 70 Closed Areas Total Days '28 20 21 0 0 Weeks O